

08/25/98
jc586 U.S. PTO

PATENT APPLICATION
Docket No.: 13799.3.1

7F9
jc586 U.S. PTO
09/139705
08/25/98

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Geoffrey S. Martin)
)
For: MULTIPLE LUMEN CATHETER) Art Unit
) 3306
Serial No.: 08/481,169)
)
Filed: June 7, 1995)
)
Examiner: Ronald K. Stright, Jr.)

SUBSTITUTE POWER OF ATTORNEY

The Honorable Commissioner of Patents
and Trademarks
Washington, D. C. 20231

Sir:

I, Jonathan E. Last, hereby declare as follows:

1. That I am the Managing Director of VAS-CATH INCORPORATED and am authorized to make the representation and take the actions set forth below in this document.

2. That the above-captioned United States Patent Application Serial No. 08/481,169 filed June 7, 1995 (hereinafter "the Present Application"), is a continuation of United States Patent Application Serial No. 08/205,331 (hereinafter "the Parent Application") that was filed on March 3, 1994, and that matured into United States Patent No. 5,472,417 (hereinafter "the '417 Patent") to which the Present Application claims priority under 35 U.S.C. § 120.

3. That the Parent Application is a continuation of the now abandoned United States Patent Application Serial No. 07/785,351 (hereinafter "the Grandparent Application") that was filed on October 30, 1991, and to which the Present Application also claims priority under 35 U.S.C. § 120.

4. That the Grandparent Application is a continuation of United States Patent Application Serial No. 07/288,364 (hereinafter "the Great-Grandparent Application") that was filed on December 22, 1988, and that matured into United States Patent No. 5,195,962 (hereinafter "the '962 Patent") to which the Present Application also claims priority under 35 U.S.C. § 120.

5. That a related United States Patent Application Serial No. 07/699,421 (hereinafter "the '421 Application") filed on August 4, 1992, is a divisional of the Great-Grandparent Application; and that the '421 Application matured into United States Patent No. 5,135,599 (hereinafter "the '599 Patent") to which the Present Application also claims priority under 35 U.S.C. § 120.

6. That VAS-CATH INCORPORATED is the owner of all right, title and interest in the '962 Patent by the cumulative action of the following documents that were executed and recorded in the United States Patent and Trademark Office relative to the Great-Grandparent Application:

- a. the Assignment attached herewith as Exhibit A that was recorded in the United States Patent Office on February 21, 1989, at Reel 5256, Frames 304-305; and
 - b. the Assignment attached herewith as Exhibit B that was recorded in the United States Patent and Trademark Office on May 24, 1990, at Reel 5311, Frames 979-982; and
- that the above-described ownership of the '962 Patent was recently verified by a title report secured from the United States Patent and Trademark Office, a copy of which is attached as Exhibit C.

7. That VAS-CATH INCORPORATED is the owner of all right, title and interest in the '599 Patent by the cumulative action of the documents attached herewith as Exhibits A and B and discussed above in Paragraph No. 6; and that the above-described ownership of the '599 Patent was recently verified by a title report secured from the United States Patent and Trademark Office, a copy of which title report is attached as Exhibit D.

8. That VAS-CATH INCORPORATED is the owner of all right, title and interest in the '417 Patent by the cumulative action of the documents attached herewith as Exhibits A and B and discussed above in Paragraph No. 6; and that the above-described ownership of the '417 Patent was recently verified by a title report secured from the United States Patent and Trademark Office, a copy of which is attached as Exhibit E.

9. That in light of the facts averred above in Paragraph Nos. 1-8, VAS-CATH INCORPORATED is the owner of all right, title, and interest in the Present Application.

10. That the documents at Exhibits A-E have been reviewed by me; and that to the best of my knowledge the documents at Exhibits A-E accurately reflect the rights of VAS-CATH INCORPORATED in the Present Application.

11. That VAS-CATH INCORPORATED hereby revokes all powers of attorney previously given relative to the Present Application.

12. That VAS-CATH INCORPORATED hereby appoints as the attorneys or agents thereof with full power of substitution and revocation to transact all business in the United States Patent and Trademark Office connected with the Present Application the following attorneys or

agents of the law firm of TRASK, BRITT & ROSSA, 525 South 300 East, Salt Lake City,
Utah 84111 USA:

David V. Trask	Reg. No. 22,012
William S. Britt	Reg. No. 20,969
Thomas J. Rossa	Reg. No. 26,799
Laurence B. Bond	Reg. No. 30,549
Joseph A. Walkowski	Reg. No. 28,765
James R. Duzan	Reg. No. 28,393
Allen C. Turner	Reg. No. 33,041
Kent S. Burningham	Reg. No. 30,453
Julie K. Morriss	Reg. No. 33,263
Robert G. Winkle	Reg. No. 37,474
Patrick McBride	Reg. No. 39,295
Edgar R. Cataxinos	Reg. No. 39,931
Keith Hargrove	Reg. No. 34,836

13. That all correspondence and telephonic communications relative to the Present
Application should hereafter should be directed to:

Kent S. Burningham, Esq.
TRASK, BRITT & ROSSA
525 South 300 East
Salt Lake City, Utah 84111 USA
Telephone: (801) 532-1922
Toll Free: (800) 900-2001
Facsimile: (801) 531-9168


14. All statements made herein of my own knowledge are true, and all statements made
on information and belief are believed to be true; and further, these statements are made with the
knowledge that willful, false statements, and the like so made, are punishable by fine or imprisonment,

or both, under Section 1001, Title 18 of the United States Code, and such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed at Mississauga, Ontario, Canada, this 17th day of ^{July}~~June~~, 1997.

VAS-CATH INCORPORATED

By:



Jonathan E. Last
Managing Director

N:\KSB\3273.1.sub poa

A S S I G N M E N T

WHEREAS WE, GEOFFREY S. MARTIN of 159 Donnelly Drive, Mississauga, Ontario, Canada L5G 2M3 and MICHAEL R. LEBLANC of 2190 Utley Road, Mississauga, Ontario, Canada L5J 1X1 are joint inventors of an invention entitled

TRIPLE LUMEN CATHETER

which is described in United States Patent Application Serial No. 07/288,364 filed December 22, 1988.

AND WHEREAS the invention was made by us, the said inventors during the course of our employment with VAS-CATH INCORPORATED, whose full post office address is 2380 Tedlo Street, Mississauga, Ontario, Canada L5A 3V3.

NOW THEREFORE to all whom it may concern, be it known that for and in consideration of the sum of one dollar (\$1.00) to us in hand paid by VAS-CATH INCORPORATED, and other good and valuable consideration the receipt of which is hereby acknowledged, we the said inventors hereby confirm that we have sold, assigned and transferred, and do hereby sell, assign and transfer to the said VAS-CATH INCORPORATED its successors and assigns the whole right, title and interest for Canada, the United States of America and all other countries in and to the said invention and in and to the said application and all Letters Patent that may be obtained therefor in Canada, the United States of America and all other countries.

WE hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said VAS-CATH INCORPORATED the assignee of the entire right, title and

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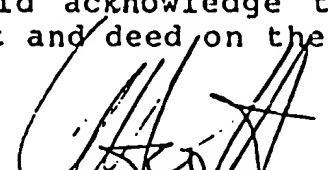
interest in and to the same, for its sole use and benefit, and for the use and benefit of its successors and assigns, to the full end of the term for which Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

RE5256 PAGE 305

SIGNED at Mississauga this 21st day of February, 1989.


GEOFFREY S. MARTIN

I HEREBY certify that before me personally appeared GEOFFREY S. MARTIN to me known and known to me to be the individual described in the foregoing instrument, and that he, in my presence, executed this instrument and who by me being sworn did acknowledge that he executed this instrument as his free act and deed on the day and year aforesaid.


CHRISTOPHER R. SCOTT
Notary Public

CHRISTOPHER ROBERT SCOTT
NOTARY PUBLIC PROVINCE OF ONTARIO
LIMITED TO THE REGISTRATION OF INSTRUMENTS
AND THE TAKING OF AFFIDAVITS FOR
FOOTED & SUDOT
PATENT AND TRADE MARK AGENTS
EXPIRED DECEMBER 3, 1989.

SIGNED at Mississauga this day of
1989.

MICHAEL R. LEBLANC

I HEREBY certify that before me personally appeared GEOFFREY S. MARTIN to me known and known to me to be the individual described in the foregoing instrument, and that he, in my presence, executed this instrument and who by me being sworn did acknowledge that he executed this instrument as his free act and deed on the day and year aforesaid.

CHRISTOPHER R. SCOTT
Notary Public

RECORDED
PATENT & TRADE MARK OFFICE

FEB 21 90



PATENT
VAS-CATH 3.0-006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of: :
MARTIN ET AL. :
Serial No. 07/288,364 : Group Art Unit
Filed: December 22, 1988 : Examiner: A. Mayer
For: TRIPLE LUMEN CATHETER : Date: May 22, 1990
X

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

ASSIGNMENT FOR RECORDING

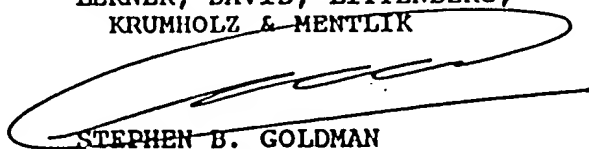
Enclosed herewith is an original assignment of the
above-identified patent application from Geoffrey S. Martin and
Michael R. LeBlanc to Vas-Cath Incorporated.

Kindly record the Assignment, returning the duly
recorded assignment to our office at the address below.

Enclosed is our check in the amount of \$8.00 to cover
the Assignment recording fee. If there are any fees due and
owing in connection with this matter, please charge same to
Deposit Account No. 12-1095.

Respectfully submitted,

LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK


STEPHEN B. GOLDMAN
Reg. No. 28,512

600 South Avenue West
Westfield, NJ 07090
(201) 654-5000

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MAY 31 1990

C-80
09/15/87
Ref: 7 FAM 834.3(a)

Canada)
Province of Ontario)
City of Toronto)
Consulate General of the)
United States of America)

SS: CERTIFICATE OF AUTHENTICATION
(Notary Public)

I, the undersigned, _____ Consul of the United States of
America at Toronto, Ontario, Canada, duly commissioned and qualified,
do hereby certify that

CHRISTOPHER ROBERT SCOTT

whose name is subscribed to the annexed document, was at the time of
subscribing the same a Notary Public of the Province of Ontario,
Canada.

For the contents of the annexed document, I assume no
responsibility.

IN WITNESS WHEREOF I have hereunto set my hand and affixed the seal
of the Consulate General of the United States of America at Toronto,
Canada, this 17th day of OCTOBER 1989.

(SEAL)

Ronald S. Robinson
Consul of the United States
of America

RONALD S. ROBINSON

REC-5311 FAME980

A S S I G N M E N T

WHEREAS WE, GEOFFREY S. MARTIN and MICHAEL R. LEBLANC, whose full postal addresses are respectively 159 Donnelly Drive, Mississauga, Ontario, Canada L5G 2M3 and 2190 Utley Road, Mississauga, Ontario, Canada L5J 1X1 contributed as joint inventors to an invention entitled

TRIPLE LUMEN CATHETER

which is described in United States Patent Application Serial No. 07/288,364 filed December 22, 1988 naming us as inventors.

AND WHEREAS the invention was made by us, the said inventors during the course of our employment with Vas-Cath Incorporated, 2380 Tedlo Street, Mississauga, Ontario, Canada, L5A 3V3.

NOW THEREFORE to all whom it may concern, be it known that for and in consideration of the sum of one dollar (\$1.00) to us in hand paid by VAS-CATH INCORPORATED, and other good and valuable consideration the receipt of which is hereby acknowledged, we the said inventors hereby confirm that we have sold, assigned and transferred, and do hereby sell, assign and transfer to the said VAS-CATH INCORPORATED its successors and assigns the whole right, title and interest for Canada, the United States of America and all other countries in and to the said invention and in and to the said application and all Letters Patent that may be obtained therefor in Canada, the United States of America and all other countries.

WE hereby authorize and request the Commissioner of

JUL 53 11 PM '98

Patents to issue said Letters Patent to said VAS-CATH INCORPORATED the assignee of the entire right, title and interest in and to the same, for its sole use and benefit, and for the use and benefit of its successors and assigns, to the full end of the term for which Letters Patent may be granted, as fully and entirely as the same would have been held by us had this assignment and sale not been made.

SIGNED at MISSISSAUGA, Ontario, Canada this 6 day of OCT. , 1989.


GEOFFREY S. MARTIN

I HEREBY certify that before me personally appeared GEOFFREY S. MARTIN to me known and known to me to be the individual described in the foregoing instrument, and that he, in my presence, executed this instrument and who by me being sworn did acknowledge that he executed this instrument as his free act and deed on the day and year aforesaid.


Notary Public

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OFFICE

CHRISTOPHER ROBERT SCOTT
NOTARY PUBLIC PROVINCE OF ONTARIO
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EXPIRES DECEMBER 3, 1989.

MAY 24 1990

SIGNED at MISSISSAUGA, Ontario, Canada this 4th day of OCTOBER, 1989.


MICHAEL R. LEBLANC

I HEREBY certify that before me personally appeared MICHAEL R. LEBLANC to me known and known to me to be the individual described in the foregoing instrument, and that he, in my presence, executed this instrument and who by me being sworn did acknowledge that he executed this instrument as his free act and deed on the day and year aforesaid.


Notary Public

CHRISTOPHER ROBERT SCOTT
NOTARY PUBLIC PROVINCE OF ONTARIO
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EXPIRES DECEMBER 3, 1989.

FILE 5311 FILE 982

TRAD. CROSS

JUN 18 1997

PAGE: 1

PATENT NUMBER: 5195962 ✓
SERIAL NUMBER: 07/288364
RELATED PATENT NUMBERS: 5135599 5472417
TITLE: TRIPLE LUMEN CATHETER
APPLICANT: MARTIN, GEOFFREY S. ; LEBLANC, MICHAEL R.

ISSUE DATE: 03/23/93
FILING DATE: 12/22/88

REEL: 5256 FRAME: 0304 DATE RECORDED: 02/21/89 NUMBER OF PAGES: 002
ASSIGNOR: MARTIN, GEOFFREY S.

EXC DATE: 02/21/89

ASSIGNEE: VAS-CATH INCORPORATED, 2380 TEDLO STREET, MISSISSAUGA, ONTAR
IO, CANADA L5A 3V3

BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST.

RETURN ADDRESS: ROGERS & SCOTT
STE 201, 277 LAKESHORE RD. E.
OAKVILLE, ONTARIO CANADA L6J 6J3

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06/16/97 17:20
PAGE: 2

REEL: 5311 FRAME: 0979 DATE RECORDED: 05/24/90 NUMBER OF PAGES: 004
ASSIGNOR: MARTIN, GEOFFREY S.

EXC DATE: 10/06/89

LEBLANC, MICHAEL R.

EXC DATE: 10/04/89

Revised
ASSIGNEE: VAS-CATH INCORPORATED, 2380 TEDLO STREET, MISSISSAUGA, ONTAR
IO, CANADA, L5A 3V3

BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST.

RETURN ADDRESS: LERNER, DAVID, LITTENBERG,
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WESTFIELD, N.J. 07090

NO MORE INFORMATION FOR THIS PATENT NUMBER 06/16/97 17:20

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(PATENTED FILE MAY

PATENT NUMBER: 5135599 ✓
SERIAL NUMBER: 07/699421
ASSIGNMENTS DIVISION OF SERIAL NUMBER 07288364
RELATED PATENT NUMBERS: 5135599 5472417
TITLE: METHOD OF MAKING TRIPLE LUMEN CATHETER
APPLICANT: MARTIN, GEOFFREY S. ; LEBLANC, MICHAEL R.

REEL: 5256 FRAME: 0304 DATE RECORDED: 02/21/89 NUMBER OF PAGES: 002
ASSIGNOR: MARTIN, GEOFFREY S.

EXC DATE: 02/21/89
ASSIGNEE: VAS-CATH INCORPORATED, 2380 TEDLO STREET, MISSISSAUGA, ONTAR
IO, CANADA L5A 3V3
BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST.

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REEL: 5311 FRAME: 0979 DATE RECORDED: 05/24/90 NUMBER OF PAGES: 004
ASSIGNOR: MARTIN, GEOFFREY S.

EXC DATE: 10/06/89
LEBLANC, MICHAEL R.

done EXC DATE: 10/04/89
ASSIGNEE: VAS-CATH INCORPORATED, 2380 TEDLO STREET, MISSISSAUGA, ONTAR
IO, CANADA, L5A 3V3
BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST.

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PAGE: 1

PATENT NUMBER: 5472417 ✓
SERIAL NUMBER: 08/205331
ISSUE DATE: 12/05/95
FILING DATE: 03/03/94
ASSIGNMENTS CONTINUATION OF SERIAL NUMBER 07288364
RELATED PATENT NUMBERS: 5135599 5472417
TITLE: TRIPLE LUMEN CATHETER
APPLICANT: MARTIN, GEOFFREY S. ; LE BLANC, MICHAEL R.

REEL: 5256 FRAME: 0304 DATE RECORDED: 02/21/89 NUMBER OF PAGES: 002
ASSIGNOR: MARTIN, GEOFFREY S.
EXC DATE: 02/21/89
ASSIGNEE: VAS-CATH INCORPORATED, 2380 TEDLO STREET, MISSISSAUGA, ONTAR
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BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST.

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REEL: 5311 FRAME: 0979 DATE RECORDED: 05/24/90 NUMBER OF PAGES: 004
ASSIGNOR: MARTIN, GEOFFREY S.

EXC DATE: 10/06/89
LEBLANC, MICHAEL R.

Assign
ASSIGNEE: VAS-CATH INCORPORATED, 2380 TEDLO STREET, MISSISSAUGA, ONTAR
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BRIEF: ASSIGNMENT OF ASSIGNORS INTEREST.

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EXPRESS MAIL LABEL NO. EM061016724US

PATENT APPLICATION
Docket No.: 2409.3273.2US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Geoffrey S. Martin et al.)	
)	
For:	MULTIPLE LUMEN CATHETER)	
)	
Continuation Application of:)	
)	Prior Art Unit
Serial No.:	481,169)	3306
)	
Filing Date:	June 7, 1995)	
)	
Prior Examiner:	Ronald K. Stright, Jr.)	

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.: EM061016724US

Date of Deposit: August 25, 1998

I hereby certify that this continuation patent application in the name of Geoffrey S. Martin and Michael R. LeBlanc for MULTIPLE LUMEN CATHETER, together with the documents listed as transmitted below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above in an envelope addressed to BOX: PATENT APPLICATION, The Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231.